

App. F. IX-4

Previous References

Depis 15-33-10, 28, 37, 41 & 49

1934.
(Lips)

File No. 8 - 34

Serial Nos. 37, 40, 42
46

Letter References.

PRESERVED

(13)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

4

Part B for February 26

SUBJECT.

Proper fee to be levied whenever
the structure of a motor vehicle
is changed materially after it
is registered once.

Sl-46 To the DG of Police

No. 222 of 11.7.35

State, that a change of engine
and chassis constitutes a material
change - as per existing rule

Curley 3
10/7/35

37

Letter no R.C. 162/34 of 16.5.35 from the I. G. of police suggesting certain amendment to rule 12 A of the M.V. Rules in respect of re-registration of M.V. on ^{any} material altering in the structure of the

The I. G. P. states that it works as a great hardship on the owners of private lorries who pay a registration fee of ^{either} Rs 75 or 150 (according as the capacity of the lorry were to be), to require them to pay a re-registration ^{fee} which would be Rs 75 or 150 especially in cases where the only change would be a change of engine. The case of the ~~Para~~ lorry no. ^{sup}2987 of M/s. Purnima Sell & Co is cited as a typical ^{instance} where the only change effected is that of engine & according to rules the lorry has to be re-registered by pay a fee of Rs 150/- This he says is a great hardship and suggests that in cases where the only change is a change in the engine ^{only} the real registration fee of Rs 15/- has to be recovered, leaving out what ^{might be considered as the road consumption of the Regt fee} Subd for orders

2
30/5/35
JWSH

Is what is stated at 'A' correct?
Please put up file leaving ~~it~~ to
notⁿ no. P4479 - Legis 15-33-49
dated 27.3.34.

The I. G. P. seems to be correct.
Legis file 15-33-49 ¹⁸⁰⁴ ^{30/5} ~~subd.~~

L
8

6514 / 734
P

7296
P
of 34
General and Revenue
Secretariat

File No. of 1934

Under the note to Rule 12A, it
not a mere change of engine that
constitutes a material alteration but
a change of engine and chassis.
"And" here cannot be read as "or".
Please consult the I & P further
in the matter.

Recd 4/6

me
17/6

Off. Secy.
5/6/35
Issue
me
5/6

5. JUN. 1935
GENL. & REV. SECT.

Letter no p 6860 of 10/14.6.35 to the 40

I & P calling for further information.

Sus A
15.6.35

Letter no. R.C. 162/34 of 19.6.35 from the 42
I & P stating that "change of engine or
chassis" is being regarded as material
change, and that ^{cases of} change of engine and chassis
are very rare & that such a change would
constitute altogether a new vehicle.

Subd for orders with refces.

25-6-35
OK

As the rule now stands,
it is not a mere change of engine
or chassis that constitutes a material

alteration - It must be a change of engine and chassis - The practice to the contrary is wrong - If however this practice is to be continued, the rule has to be modified - I think this may be done another opportunity taken to make it clear that the registration fee payable in the case of a private lorry after such alteration is only Rs 16/- and not the heavy fee of Rs 75 + 150/-, as suggested by the I.G.P. in his letter of 16 May 1935 - If this is approved, the I.G.P. will be asked to send a suitable amendment for consideration -

Gen Secy)

me 28/6

has re

I Dmbr

18th 3/2
me 4/7

cu 4/7
Hm 4/7
me 5/7

Draft subd.

9/25
me 7/7

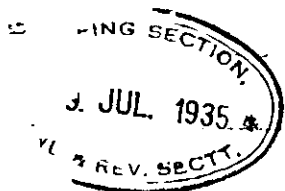
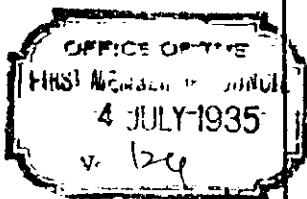
Issue

me 8/7

Issue no 222 of 16.7.35 to I. G. P. Calling for a suitable amendment

25 JUNE 1935

474



NOTE-Contn. Sheet.

Gus E
13/7/35

46

72916 (4)

General and Revenue
Secretariat

File No. *hugis*

8 of 1936

Subd
The SG of Police has not sent any
amendments in the matter.

For orders if this may be closed
for the present

17/2 ult 3/2, but after
perusal by special
office

std office

18/2
17.2.36
18/2

13
18/2/36

MOTOR VEHICLES DEPARTMENT.

Tel. Address :
"POLICE"

PHONE No. 298

When replying please quote No. R.O. 162/34
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6514934(1)
Lugs 8-36-37
OFFICE OF THE INSPECTOR-GENERAL OF POLICE
IN MYSORE, AND REGISTERING AUTHORITY,
FORT, BANGALORE CITY.

Dated, 16th May 1935.

FROM

F. A. HAMILTON, Esq., C.I.E.,

Inspector-General of Police in Mysore,

and Registering Authority, Motor Vehicles Department,

BANGALORE.

To

H.V. Ramasvami, Esq., M.A., B.L.,

General Secretary to the Government

of His Highness the Maharaja of Mysore,

BANGALORE.

Sir,

A | I have the honour to state that Rule 12 A of the Mysore Motor Vehicles Rules contemplates that whenever the structure of a motor vehicle once registered is materially altered, the original certificate of registration shall be surrendered and a fresh one obtained on payment of the fee prescribed in Rule 4, etc., The change of engine constitutes such an alteration.

With regard to all classes of vehicles, other than lorries registered for private use, the fee payable in cases coming under Rule 12 A referred to above, will be Rs.16/- or less, while in the case of private lorries it will be Rs.75/- or Rs.150/- according to carrying capacity.

In the case of lorry MYS-2987 belonging to Messrs. Burmah Shell & Co., on which this reference to Government was found necessary, the engine of the lorry has been changed. Such a change is a material alteration in the strict interpretation of the rule and would require the payment of a sum of Rs.150/- for the re-registration of vehicle in question although the original registration will be current up to 30th June, 1935.

In the case of lorries used for private purposes, the registration fee has been pitched high in view of the damage that the vehicle does to the road and a good portion of the fee, has to be treated in the nature of a road cess, which similar vehicles plying for hire

are

are subjected to pay^{as}. In this view, the demanding of the full registration fee once again during the currency of the registration on the ground merely that the ~~engine~~ engine of the vehicle has been changed seems a hardship not perhaps intended to be imposed on the lorry owner. In such a case, a fee of Rs.16/- may be charged (which sum may be taken to be the real registration fee properly speaking as for other vehicles) and the re-registration effected.

I beg to solicit instructions in this matter. If Government approve, an amendment to the rules will be suggested after orders are received in the case under reference.

I have the honor to be,
Sir,
Your most obedient servant,



Head Quarters Assistant
For Inspector General of Police
(Absent on tour)



KN.

7290 (4)

File No. *Lupis*

8 of 1936

General and Revenue
Secretariat

Subd
The SG of Police has not sent any
amendments in the matter.

For orders if this may be closed
for the present

17/2 *all* - *3/2*, but after
perusal by special
officer.

Sp. Officer.

one
17.2.36
17/2

13
18/2/36

(3)

SUBJECT.....
.....
.....

Section *Lugis*
File No. *8-34*
Serial No. *40*

No. *P6860*

Diary No. of letter replied to

To
The L. G. of police.

General and Revenue Secretariat

()
the 193

Sir,

Date of issue *14/5/35*

With refce to your letter no
regarding
R.C. 162/34 of 16.5.35 ~~Suggesting certain~~
~~the registration fee to be levied~~
~~amendment to rule 12 A of the Motor~~
~~when a motor vehicle is registered~~
~~rule, in respect of re-registration.~~

for re-registering
9m. N. 11-18 R
Signed by *Lorry M/S. 2987*

~~subsequent~~ ^a ~~upon any~~ material
alteration in ^{its} ~~the~~ structure, of the vehicle.

Consequent on the
change of the engine,
I am directed to
enquire ~~why re-registration~~
~~is necessary~~ how a change
of the engine alone
constitutes
a material

I am directed to observe that under
rule 12 A it is not a mere change
of engine that constitutes a material
alteration as stated by you in para

List of enclosures

~~1 of your above referred to above but a~~

alteration, when
Copied by *under the note to*
rule 12A, it is a

change of engine and chassis, ~~and~~
that amounts to such alteration -
~~As such, in the present case of Lorry~~

Examined by

Shaveck

copying
15/6/35

mp
29/5

My
No 2987 the question of ^{a fresh} registration does not

arise, since it is the engine alone

that has been changed, ~~and~~ and the word "and"
between "engine" and "chassis" in the rule
cannot be read as "or"

of the above interpretation, the
hardships of on the proprietors

of licences as contemplated by you

~~does not arise~~. I am to request therefore
Your further

views ^{on this subject} ~~as in the matter if any~~

may kindly be furnished early

for ~~consideration of Govt.~~

Yours
Mavet

to Gen Secy
3/5/63

(S)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P6 860

Dated, Bangalore, 10th June 1935

14

From

The General Secretary to the Government of His Highness
the Maharaja of Mysore.

To

The Inspector General of Police in Mysore,
Bangalore.

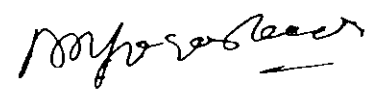
Sir,

With reference to your letter No.R.C.162/34 dated 16th May 1935 regarding the fee to be levied for re-registering lorry Mys.2987 consequent on the change of the engine, I am directed to enquire how a change of the engine alone constitutes a material alteration, when under the note to 12 A, it is a change of engine and chassis that amounts to such alteration.

I have the honor to be,

Sir,

Your most obedient servant,


General Secretary to Government.

B.K.M.2

Tel. Address :
"POLICE"
PHONE No. 298

MOTOR VEHICLES DEPARTMENT.

7296
P

Legis 8-34-42

OFFICE OF THE INSPECTOR-GENERAL OF POLICE
IN MYSORE, AND REGISTERING AUTHORITY,
FORT, BANGALORE CITY.

Dated, ...19th June.....1935.

When replying
please quote
No. R.C. 162/34

FROM
21 JUNE 1935
22

F. A. HAMILTON, Esq., C.I.E.,

Inspector-General of Police in Mysore,
and Registering Authority, Motor Vehicles Department,
BANGALORE.

To

H.V. Ramasvami, Esq., M.A., B.L.,
General Secretary to the Government of
of His Highness the Maharaja of Mysore,
BANGALORE.

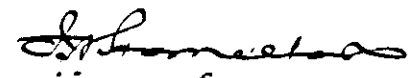
Sir,

Subject:- Rule 12 A of motor Rules - Change of Engine
requiring re-registration.

With reference to your letter No.P.6860/Legis.8-34-40 dated
10th/14th June, 1935, I have the honour to state that the Rule has been
understood to refer to cases in which Engine or Chassis has been
changed. Cases in which both the Engine and Chassis are changed
retaining the upper body are very rare and such a change would constitute
altogether a new vehicle.

M
N
In this connection I beg to draw your attention to my letter
No.R.C.233/33-34 dated 1st February, 1934, in which I had suggested, for
greater precision, that the words "change of Engine or Chassis" may be
substituted in the Rule. A similar suggestion made on the 27th March,
1934, was too late to be incorporated. I do not know why the
suggestion made in my first letter was not considered. That would have
put matters beyond doubt. In practice, however, a change of Engine or
Chassis is being regarded as material change.

I have the honour to be,
Sir,
Your most obedient servant,


INSPECTOR GENERAL OF POLICE.

K.N.

SUBJECT

Section *devis*File No. *834*Serial No. *46*No. *P 222*

Diary No. of letter replied to

To

*The Inspector Gen of Police in
Mysore, Bangalore.*

General and Revenue Secretariat

()
the 193*Sir,**The correspondence ending with
written ref ce to your letter no*

Date of issue

11/7/35

Signed by

*M. N. A. / R**about
R.C. 162/34 of 19.6.35 that suggesting
registration fee of Rs 16/- being fixed
when only ~~that the fee is~~ Change of Engine
of a ^{heavy} motor vehicle is made
~~at chassis~~ be substituted for**Change of Engine and Chassis
in Rule 12-A of the Motor Rules,**I am directed to state that as the
Rule now stands, it is change of
engine and chassis that consti-*

List of enclosures

*utes material alteration. The
practice of regarding a change of engine or chassis as
practice to the contrary is wrong
not correct.*

Copied by

*Wharf
[17/7/35]**If however this practice is to be
continued the Rule has to be*

Examined by

(8)
modified ^{this} ~~and~~ opportunity ^{being taken} should
~~be taken advantage of~~ to make it
clear that the registration fee
payable in case of a private
long after such ^{an} alteration is
only Rs 16/- and not Rs 75 or 150/-,
as suggested by you in your letter
of 16th May 1938. I am therefore
to request you to send ^a ~~a~~ ^{if you find it necessary}
suitable amendment ~~accordingly~~
for consideration of Govt.
~~in this respect.~~

Yours sincerely

me
for Govt secy
3/7

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 10th July 1935

No. *P 222*

From

The General Secretary to the Government of His Highness
the Maharaja of Mysore.

To

The Inspector General of Police in Mysore,
Bangalore.

Sir,

With reference to the correspondence ending with your letter No.R.C.162/34 dated 19th June 1935 about registration fee of Rs.16/- being levied when only "Change of Engine of a heavy motor vehicle is made" I am directed to state that as the rule now stands, it is change of engine and chassis that constitutes material alteration. The practice of regarding a change of engine or chassis as a material alteration is not correct. If however this practice is to be continued the rule has to be modified, opportunity being taken to make it clear that the registration fee payable in case of a private lorry after such an alteration is only Rs.16/- and not Rs.75/- or 150/- as suggested by you in your letter of 16th May 1935. I am to request you to send ~~if~~ you find it necessary a suitable amendment for consideration of Government.

I have the honor to be,

Sir,

Your most obedient servant,

me
General Secretary to Government.